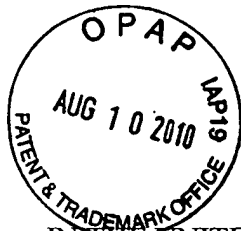


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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	PATENT
	:	
Werner PFEIFFER	:	
	:	
Serial No.: 10/563,954	:	Art Unit: 1797
	:	
Filed: January 10, 2006	:	Examiner: R. J. Popovics
	:	
For: METHOD FOR FILTERING FLUIDS	:	
AND DEVICE FOR IMPLEMENTING	:	
SAID METHOD	:	

**PETITION UNDER 37 C.F.R. §1.181 FOR ENTRY
OF AMENDMENTS TO SPECIFICATION AND DRAWING**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §1.181, Applicant requests the Commissioner of Patents and Trademarks to invoke supervisory authority and require entry of the amendments to the specification and drawings included in the Amendment filed on January 21, 2010. These amendments to the specification and drawings are fully supported by the originally filed application, but are objected to by the Examiner and refused entry as allegedly constituting “new matter” in not being adequately supported in the above-identified application, as filed, in the May 10, 2010 Office Action.

Prompt action on this Petition is needed in view of the concurrently filed appeal.

No fee for this Petition is believed to be necessary. The Commissioner is authorized to charge any fee necessary for this Petition to Deposit Account No. 18-2220.

The newly submitted drawings add arrows “f” and “w” to show the filtering flow and the washing flow, respectively, as clearly described in the paragraph spanning pages 8-9 of the substitute specification and on page 9 of the originally filed specification. The additions of these arrows are fully supported by the present application, particularly since the original application would be interpreted in this manner by one skilled in this art. No particular arrow is noted as being unsupported in the specification.

The arrows show, as disclosed on those pages of the originally filed and substitute specifications, that the unfiltered material is supplied via input channels 36 to the individual frame parts 16 in the stack sequence. The respective unfiltered material flows through the input channels 36 into the filtrate space 30, and there passes through the laminar filter 32 and the laminar filter 34 on both sides. The filtrate is then drained via output channels 38, 40 which are mounted in succession in the horizontal plane. The other output channel 40 shown in FIG. 2b is in another section plane from output channel 38 in FIG. 2. As shown in FIG. 2a, the configuration of output channels 38, 40 is doubled, specifically extending at the top and bottom on the frame parts 16 and extending essentially in a horizontal plane to the input channels 36 for the unfiltered material. If at this point the filter cake has built up sufficiently in the respective filtrate space 30, it still has corresponding contents which have not been filtered out. In order to recover these substances, the filter cake in the filtrate space 30 is washed out. For this purpose, a washing liquid is supplied on the input side via the filter output channel 38. After passing through the filtrate plates 26, the filter medium 34, the filtrate cake in the filtrate space 30 and the laminar filter 32, the washing liquid

with the active substances obtained by washing travels into the filtrate plate part 26, which is the middle one as viewed in FIG. 2, and from there drains via output channel 40.

The newly submitted drawings also add arrowheads for the lead lines for “16” to indicate more clearly that frame parts comprise sets of filtrate plates 26 and filter frames 18 for the embodiments of FIGS. 2, 2a and 2b, or comprise sets of filtrate plates 26, filter frames 28 and membrane plates 44 for the embodiments for FIGS. 3.3a, 4 and 4a.

Further, cross section lines are added to Figs. 2a, 3a and 4a for the cross sectional views of Figs. 2 and 2, Fig. 3 and Fig. 4, respectively, as described in the amendment of the Brief Description of the Drawings section of the substitute specification. The cross section of Fig. 2 can only logically extend through an upper channel 36 and a lower channel 38 since those two channels are shown in Fig. 2. The cross section of Fig. 2b can only logically extend through channel 40 since Fig. 2b shows that channel. The cross section for Fig. 3 can only logically extend through an upper channel 36 and a lower channel 38, because those channels are shown in Fig. 3. Similarly, the cross section for Fig. 4 can only logically extend through the upper channel 36 and the lower channel 38 since such channels are shown in Fig. 4. Such cross sections would be readily apparent to one of ordinary skill in the art upon studying the drawings and the descriptive portion of the specification of this application.

Lines for cross section lines need not be straight and the cross sections need not be limited to a single plane to comply with standard drawing practices. These offset sections are standard drawing practice as show, for example, on the attached copy of page 165 of Technical Drawing by Giesecke et al. and by the attached internet publication www.tpub.com. Such offset cross sections are standard, conventional and clear to those skilled in reading and interpreting

mechanical drawings, and are routine in patent drawings as shown, for example, in U.S. Patent Nos. 7,703,540 (Figs. 11A and 11B), 5,701,244 (Figs. 1 and 3) and 5,325,973 (Figs. 1 and 2), copies enclosed.

Thus, these amended drawings comply with 37 C.F.R. §1.83(a), adequately illustrate the claimed subject matter and are fully supported by the originally filed application.

The Brief Description of the Drawings section spanning pages 6-7 of the substitute specification is revised merely to refer to the section lines as defined above.

In response to those amendments to the drawing and specification, the Office Action merely states in a conclusionary manner that:

“Drawings

Given the inconsistencies and lack of clarity as to what cross-section is being referred to, the drawings submitted on **January 21, 2010** have **NOT BEEN APPROVED**.

Response to Amendment

The amendments filed **August 31, 2009** and **January 21, 2010** are objected to under 35 U.S.C. 132(a) because they introduce new matter into the disclosure. 35 U.S.C. 132(a) states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows flow directional arrows; lines indicating various cross-section cuts; and all amendments to the Brief Description of the Drawings.

Applicant is required to cancel the new matter in the reply to this Office Action.

Response to Arguments

Applicant's arguments filed 1/21/10 have been fully considered but they are not persuasive. Applicant has argued that the **“cross sections would be readily apparent to one of ordinary skill in the art upon studying the drawings and the descriptive portion of the specification.”** The undersigned respectfully disagrees. One skilled in the art would not have understood the novel, unconventional and confusing approach taken by Applicant in visualizing and depicting cross sections.”

No reasons are given why the specification that specifically describes the flow does not support the arrows showing that the described flow. The arrows only show what is described in the originally filed specification. The cross section lines are dictated by the parts shown in the cross section according to standard mechanical drawing practices for offset sections, and are merely identified in the Brief Description of the Drawings. Thus, all changes are fully supported.

Prompt and favorable action is solicited, particularly in view of the pending appeal.

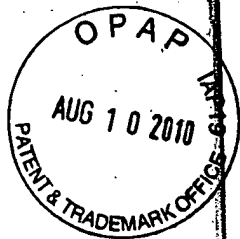
Respectfully submitted,



Mark S. Bicks
Reg. No. 28,770

Roylance, Abrams, Berdo & Goodman, LLP
1300 19th Street, NW, Suite 600
Washington, DC 20036
(202)659-9076

Dated: August 10, 2010



TECHNICAL DRAWING

BY

FREDERICK E. GIESECKE
PROFESSOR OF ENGINEERING RESEARCH AND DIRECTOR
OF THE TEXAS ENGINEERING EXPERIMENT STATION

ALVA MITCHELL
PROFESSOR OF ENGINEERING DRAWING

HENRY C. SPENCER
ASSISTANT PROFESSOR OF ENGINEERING DRAWING

AGRICULTURAL AND MECHANICAL
COLLEGE OF TEXAS

NEW YORK

THE MACMILLAN COMPANY

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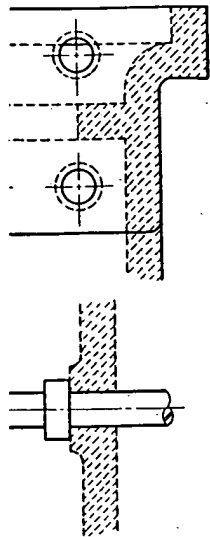
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shown in Fig. 273.
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ANTOM SECTION.

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274 (b)).

e to be sectioned,

198. Offset Sections.—It is not necessary that a section plane be continuous; it may be bent or "offset" so as to form a continuous surface and to include otherwise inaccessible features in the section (Fig. 276). The lines of intersection of the connecting planes are not shown in the section (Fig. 276 (a)).

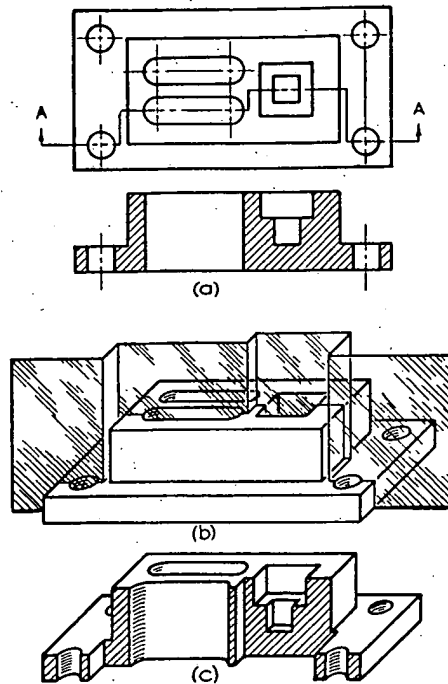


FIG. 276. OFFSET SECTION.

199. Sectioning in Assembly Drawings.—An instructive study in sectioning is shown in Fig. 277. Section lines for adjacent parts run in opposite directions as explained in § 190. Different materials are sectioned according to the standard code shown in Fig. 256. Note that bolts, shafts, pins, webs, etc. are not sectioned. The reasons for this are discussed in § 345.

PROBLEMS

200. Freehand Sketching, Figs. 278, 279, 280, 281.—The principles of multiview projection are most effectively learned by persistent practice

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Offset sections

An *offset section* results when you bend the cutting plane to show internal features that are not in a straight line. The offsets or bends in the cutting plane never show in the sectional view. Cutting plane lines in an offset section appear as thick, dashed lines.

Figure 3-57 is an offset section.

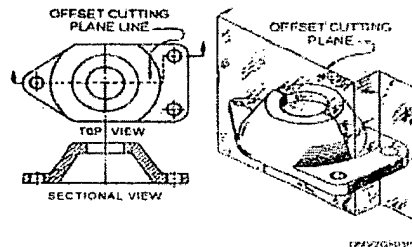


Figure 3-57.—An offset section.

Aligned sections

Aligned sections are sections where the cutting plane bends to pass through specific features of an object, then revolves 90-degrees to the plane of projection and aligns to a position across from the original view. Use aligned sections to give a clearer view and more complex description of objects.

Figure 3-58 shows an aligned section.

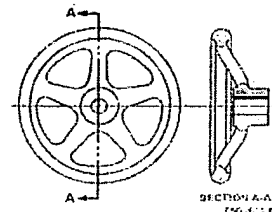


Figure 3-58.—An aligned section.

Continued on next page